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Attorney Docket No. 21866-013

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Richard O'Connell

Serial No: 09/907,265

Filed: July 17, 2001

For: SYSTEM AND METHOD OF VALIDATING AN AUTHORIZED USER
OF A PAYMENT CARD AND AUTHORIZATION OF A PAYMENT CARD
TRANSACTION

Examiner: Unassigned

Art Unit: 2661

Assistant Commissioner for Patents
Washington, D.C. 20231

Lozano
#5/105
Aug. 14, 2002
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STATEMENT FILED PURSUANT TO
THE DUTY OF DISCLOSURE UNDER 37 C.F.R. §§1.56, 1.97 and 1.98

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the Applicant requests consideration of this Information Disclosure Statement.

PART I: Compliance With 37 C.F.R. §1.97

(Select A, B or C below)

A. ☐ This Information Disclosure Statement has been filed:

(Check 1, 2 and/or 3 below)

1. ☐ within three months of the filing date of the National Application.
2. ☐ within three months of the filing date of the entry of the National Stage, as set forth in 37 C.F.R. §1.491, in an International Application.
3. ☐ before the mailing date of a first Office Action on the merits in the above-identified case.

No fee or certification is required.

B. ☒ This Information Disclosure Statement has been filed more than three months after the filing date of this application and after the mailing date of the first Office Action, but before the mailing date of either a final action under 37 C.F.R. §1.113 or a Notice of Allowance under 37 C.F.R. §1.311.

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(Check 1 or 2 below)

1. ☐ The fee of \$240 as set forth in 37 C.F.R. §1.17(p) is enclosed.
2. ☒ The Applicant hereby certifies, as specified in 37 C.F.R. §1.97(e), (Check a or b below)
 - a. ☒ each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign Patent Office in a counterpart of this application not more than three months prior to the filing of this Statement.

No fee is required.

- b. ☐ no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart of this application or, to the knowledge of the undersigned after making reasonable inquiry, was known to any individual designated in 37 C.F.R. §1.56(c) more than three months prior to the filing of this Statement.

No fee is required.

C. ☐ This Information Disclosure Statement has been filed after the mailing date of either a final action under 37 C.F.R. §1.113 or a Notice of Allowance under 37 C.F.R. §1.311 and before payment of an Issue Fee.

1. The Applicant hereby certifies, as specified in 37 C.F.R. §1.97(e), that:
(Check a or b below)
 - a. ☐ each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign Patent Office in a counterpart for this application not more than three months prior to the filing of this Statement.
 - b. ☐ no item of information contained in this Information disclosure Statement was cited in a communication from a foreign Patent Office in a counterpart for this application or, to the knowledge of the under signed after making reasonable inquiry, was known to any individual designated in 37 C.F.R. §1.56(c) more than three months prior to the filing of this Statement.

2. A petition requesting consideration of the Information Disclosure Statement is attached.
3. The petition fee of \$130 as set forth in 37 C.F.R. §1.17(i)(1) is enclosed.

PART II: Information Cited

A. ☒ The Applicant hereby makes of record in the above-identified application the information listed on the attached form PTO-1449 (modified). The order of presentation of the references should not be construed as an indication of the importance of the references.

B. ☐ The Applicant hereby makes the following additional information of record in the above-identified application:

PART III: Explanation of Non-English Language References and Remarks Concerning Other Information Cited

The following is a concise explanation of the relevance of each non-English language reference listed on the attached form PTO-1449 (modified).

The following are remarks concerning the other information cited:

PART IV: Remarks

A copy of each of the above-identified information is enclosed unless otherwise indicated on the attached form PTO-1449 (modified). It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
2. The enclosed form PTO-1449 be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;
3. The citations for the information be printed on any patent which issues from this application.

By submitting this Information Disclosure Statement, the Applicant makes no representation that a search has been performed, of the extent of any search performed, or that anymore relevant information does not exist.

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicant, the Examiner is urged to form his/her own conclusion regarding the relevance of the cited information.

An early and favorable action is hereby requested.

Respectfully submitted,



Carol H. Peters
Registration No. 45,010
Mintz, Levin, Cohn, Ferris,
Glovsky and Popeo, P.C.
One Financial Center
Boston, Massachusetts 02111
Telephone 617/348-4914
Attorneys for Applicant

Date: August 1, 2002

Date of Deposit: August 1, 2002

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| FORM PTO-1449(Modified) LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT | ATTY. DOCKET NO. 21866-013 | SERIAL NO. 09/907,265 |
| | APPLICANT Richard O'Connell | |
| | FILING DATE July 17, 2001 | GROUP ART UNIT: 2661 |



U.S. PATENT DOCUMENTS

| Exam Init | Ref Des | Document No. | Date | Name | Class | Sub Class | FILING DATE If Appropriate |
|--------------|------------|--------------|------|------|-------|--------------|-------------------------------|
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FOREIGN PATENT DOCUMENTS

| | | Country & Doc. No. (11) | Pub. Date (43) | | Class | Sub Class | Translation Yes No |
|--|--|----------------------------|-------------------|-----------------|---------|--------------|--------------------------|
| | | PCT | 2/12/98 | WO 98 06214 A ✓ | H04M 11 | 00 | |
| | | PCT | 3/25/99 | WO 99 14711 A ✓ | G07F7 | 10 | |
| | | EP | 12/4/96 | EP 0 745 961 A | G07F7 | 08 | |
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OTHER ART

(Including Author, Title, Date, Pertinent Pages, Publication, Etc.)

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*a copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No _____, filed _____, and relied upon for an earlier filing date under 35 U.S.C. 120 (continuation, continuation-in-part, and divisional applications).

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| EXAMINER | DATE CONSIDERED |
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.